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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY

NOTIFICATION

The 17th March, 2016

No.2628/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 17th March, 2016 is herewith published under rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE ODISHA PROFESSIONAL EDUCATIONAL INSTITUTIONS
(REGULATION OF ADMISSION AND FIXATION OF FEE)
AMENDMENT BILL, 2016**

A

BILL

**TO AMEND THE ODISHA PROFESSIONAL EDUCATIONAL
INSTITUTIONS (REGULATION OF ADMISSION AND FIXATION
OF FEE) ACT, 2007**

BE it enacted by the Legislature of the State of Odisha in the Sixty-seventh Year of the Republic of India as follows:—

Short title and
commence-
ment.

1. (1) This Act may be called the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Amendment Act, 2016.

(2) It shall be deemed to have come into force on the 4th day of January, 2016.

Amendment
of section 2.

2. In the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 (hereinafter referred to as the principal Act), in section 2, for clause (k), the following clause shall be substituted, namely:—

Odisha Act
4 of 2007.

“(k) ‘Joint Entrance Examination (JEE)’ means an entrance test as may be decided by the Government for all professional educational Institutions, for determination of merit of the candidates followed by centralized counseling for the purpose of admission to such institutions through a single window system;”

Amendment
of section 3.

3. In the principal Act, for Section 3, the following Section shall be substituted, namely:—

“Method of
admission in
professional
educational
Institutions.

3. (1) Subject to the provisions of this Act, admission of students in all private professional education institutions, Government institutions and sponsored institutions to all seats including lateral entry seats, shall be made through Entrance Test (s) approved by the Government followed by centralized counselling in order of merit, in accordance with such procedure as recommended by the Policy Planning Body and approved by the Government.

(2) After vacancy round of Odisha Joint Entrance Examination (OJEE)/Diploma Entrance Test (DET) Counselling, i.e. after minimum of two rounds of Centralized Counselling, the modalities shall be decided by the Government from time to time for filling up of the vacant seats taking candidates from the Entrance Test(s) approved by the Government on merit basis of all the Technical and Professional Institutes under the

supervision of the OJEE/DET Committee. The seats to which candidates could not be sponsored due to dearth of choice and the seats remained vacant due to non-reporting cases after 2nd round of Centralised Counselling shall be considered as vacant seats against which the College can admit students following the modalities fixed by the Government. In any case, the reported cases shall not be given further opportunity to participate in the admission process meant for filling up of vacancies at Institution level”.

Amendment
of section 4.

4. In the principal Act, in section 4, in sub-section (6), for Clause (b), the following clause shall be substituted, namely:—

“(b) formulate policy guideline for holding JEE or otherwise – as decided by the Government”.

Repeal and
Savings.

5. (1) The Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Amendment Ordinance, 2016 is hereby repealed.

Odisha
Ordinance
1 of 2016.

(2) Notwithstanding the repeal under sub-section (1), anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

1. Admission, fixation of fees and matter connected therewith or incidental thereto in respect of Professional / Technical institutions in the State of Odisha are regulated under the provisions of the Odisha Professional Educational Institution (Regulation of Admission and Fixation of Fee) Act, 2007.

2. Section 3 of the above mentioned Act provides as follows:

“ Subject to the provisions of this Act, admission of students in all Private Professional Educational Institutions, Government Institutions and sponsored Institutions to all seats including lateral entry seats, shall be made through JEE conducting by the Policy Planning Body followed by centralized counselling in order of merit, in accordance with such procedure as recommended by the said body and approved by the Government.”

3. With a view to reduce the multitude of entrance tests, which students were required to take for getting admission to Engineering courses, the State Government decided to participate in the JEE (Main) Examination conducted by the Central Board of Secondary Education (CBSE). Through this single test, a student is considered for admission to IITs, NITs and other Engineering Colleges in the State as well as outside the State.

4. Keeping in view the interest of the students, it is proposed to enable the Government of Odisha to have powers to decide regarding the Entrance Test through which the admission of students shall be made in Professional / Technical educational institutions.

5. To enable the State Government to have powers for deciding to participate in the JEE (Main) Examination, 2016 conducted by the CBSE, it was felt necessary and expedient for amendment of the abovementioned Section 3 of the aforesaid State Act. Since, the Legislature of the State of Odisha was not in session, the Governor of Odisha, in exercise of powers conferred by clause (1) of article 213 of the Constitution, has been pleased to promulgate the Ordinance namely, Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Amendment Ordinance, 2016 (Odisha Ordinance No. 1 of the 2016) on the 2nd January, 2016, which has been published in an Extraordinary issue of the *Odisha Gazette* bearing No.81, dated the 4th January, 2016.

6. It is proposed to enact a Law for the reasons mentioned above.

The Bill seeks to achieve the above objectives.

SANJAY KUMAR DAS BURMA
Member-in-Charge

A.K. SARANGI
Secretary
Odisha Legislative Assembly